

REMARKS

A. Introduction

Claims 1-4 were pending and under consideration in the application. Claims 5-19 and 22-29 were previously cancelled and claims 20 and 21 are cancelled herein.

In the Office Action of January 30, 2008, claims 1-4 were provisionally rejected on the grounds of nonstatutory obviousness-type double patenting. No other rejections were made.

In response, the rejections are traversed. The scope of the original claims has not been altered. No new matter is presented.

B. Double Patenting

Claims 1-4 were provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of copending Application No. 11/027,147 to Fukuda et al. ("Fukuda"). Applicants traverse these rejections for at least the following reason.

The present application, Application No. 10/522,449, and Fukuda were, at the time the invention was made, owned by Sony Corporation. Without conceding the merits of the rejection, submitted herewith is an appropriate terminal disclaimer to overcome the rejection.

Accordingly, Applicants respectfully submit that the rejections of claims 1-4 are left unsupported, and withdrawal of these rejections and allowance of these claims are respectfully requested.

Appl. No. 10/522,449
Amdt. Dated April 30, 2008
Reply to Office Action of January 30, 2008

C. Conclusion

In view of the foregoing, it is submitted that claims 1-4 are allowable and that the application is in condition for allowance. Notice to that effect is requested.

Respectfully submitted,
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